IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO: 1767 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 04/07/2005 in WP NO:5630 OF 2005 on the file of the High Court)

Between:

1 The Transmission Corporation of A.P. Ltd., Rep. by its Chairman and

Managing Director, Vidyut Soudha, Somajiguda, Hyderabad, and 2

others

..... APPELLANT(S)

AND

Syed Moosa Ali Hashmi S/o. Syed Durab Ali Hashmi
R/o. Himayatnagar, Hyderabad.

.....RESPONDENT

The Court made the following:

ORDER:

Heard both sides and at their request the main appeal itself is taken up for disposal.

The appellant is the respondent in the writ petition against whom the writ filed by the respondent herein was allowed, whereunder, the impugned action of accepting the deemed resignation in purport of regulation 28 (3) of Service Regulation was set aside. Though several contentions have been raised by the appellant herein on merits, however, the fact remains that admittedly, the learned Single Judge of this Court has rightly held that Regulation 28 (3) of the A.P. State Electricity Board Regulations is not valid.

Having regard to the facts and circumstances of the case, the question invoking the judgment of the learned Single Judge does not arise. As rightly held by the learned single Judge, the impugned action is wholly unsustainable and the same has been rightly set aside and hence, we do not find any merits to interfere in this appeal.

The writ petition is accordingly dismissed. No order as to costs.

B.PRAKASH RAO, J

04th October, 2005 DR. G.YETHIRAJULU, J

SKM